

**Office of the City Secretary**

## Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council  
From: Cathy Bourg, City Secretary  
Date: November 22, 2016  
Subject: Minutes from the November 1, 2016 Regular City Council Meeting

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**City Council Action Requested:**

Consider approval of November 1, 2016 City Council Minutes

**Background Information:**

Attachment – November 1, 2016 Draft Minutes

**Board/Citizen Input:**

N/A

**Financial Impact:**

N/A

**Staff Contacts:**

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**RICHLAND HILLS CITY COUNCIL  
REGULAR MEETING  
NOVEMBER 1, 2016  
DRAFT MINUTES**

Roll Call:

Council present:

Roland Goveas, Place 1  
Allison Barger, Place 2  
Robert DeSoto, Place 3  
Beverly Williams, Place 4  
Edward Lopez, Mayor pro-tem

Council Absent:

Bill Agan, Mayor

Staff

Eric Strong, City Manager  
Cathy Bourg, City Secretary  
Betsy Elam, City Attorney

**TOUR OF LINK CONSTRUCTION SITE – Time: 5:25 p.m.**

**WORK SESSION – Mayor pro-tem Lopez Called to Order – Time 6:00 p.m.**

- 1. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183 (f) and 418.106 (d) & (e) of the Texas Government Code (Texas Disaster Act).**

**Motion:** Motion was made by Councilmember Barger, and seconded by Councilmember DeSoto to convene into executive session. Time: 6:00 p.m.

Motion carried by a vote of 4-0. Councilmember Williams absent from Council Chambers.

Mayor pro-tem Lopez reconvened into open session. Time: 7:00 p.m.

- 2. Discussion of items and presentations listed on tonight's City Council Agenda.**

None at this time.

**REGULAR SESSION – Mayor pro-tem Lopez Called to Order – Time 7:00 p.m.**

**Invocation – Mayor pro-tem Lopez**

**Pledge of Allegiance – Led by Councilmember Williams**

**PRESENTATIONS**

**1A. Citizen Appearances/Public Comments**

**Citizen Appearances/Public Comments**

**(Citizens who have signed a card to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and City Council members are prevented from discussion of the subject and may respond only with statements of factual information or existing city policy. Public comment will not be taken on items that the Council has previously considered in a public hearing.)**

Gerrit Spieker, 3401 Jonette Drive, Richland Hills spoke in favor of denial of item 6A: Consideration of accepting the FWTA 2016 Street Refund payment as the final payment and discontinuing the Street Refund program.

*\*Item 1B. was moved to the end of meeting, following Item 8.*

**1B. Presentation of a 20 year Service Award to Tye Bell, Police Sergeant with the Richland Hills Police Department.**

**CONSENT AGENDA**

**2A. Approval of minutes from the October 18, 2016 Regular meeting.**

**2B. Approval of contract for Curb, Gutter and Approach Repair / Replacement Project utilizing Reliable Commercial Construction in the amount of \$45,000.00.**

**2C. Approval of Interlocal Agreement with the North Central Texas Council of Governments Cooperative Purchasing Agreement through a program known as North Texas SHARE program.**

**2D. Consideration of contract for Consulting Services with Jerry Valdez for the 2017 Texas Legislative Session.**

**Motion:** Motion was made by Councilmember Barger, and seconded by Councilmember DeSoto to approve the consent agenda.

Motion carried by a vote of 5-0.

**PUBLIC HEARINGS, MEETINGS, AND OTHER RELATED ITEMS**

**3A. None at this time.**

**ORDINANCES & RESOLUTIONS AND OTHER RELATED ITEMS**

**4A. None at this time.**

**CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS**

**5A. Consideration of bid award for Employee Group Health Insurance.**

Eric Strong, City Manager gave a presentation regarding a bid award for Employee Group Health Insurance. We received bids from our current provider, TMLIEBP, United Health Care and Blue Cross Blue Shield. TMLIEBP was the low bidder and staff is recommending that we keep our current coverage for the upcoming year.

**Motion:** Motion was made by Councilmember DeSoto, and seconded by Councilmember Goveas to continue coverage with TMLIEBP.

Motion carried by a vote of 5-0.

**5B. Consideration of bid award and Resolution for CDBG project for replacement of wastewater line on Fir Park Drive to Excel 4 Construction, Inc. for the amount of \$131,679.00 for the sanitary sewer improvements and to pay \$22,275.00 to cover the difference between the CDBG funding allocation.**

Scott Mitchell, Director of Neighborhood Services gave a presentation to the Council for the consideration of the quote submitted by Excell 4 Construction, Inc. for the amount of \$131,679.00 for the sanitary sewer improvements in the 2800 – 2900 blocks of Fir Park Drive. By accepting this bid the city also resolves to pay \$22,275.00 to cover the difference between the CDBG funding allocation and the actual bid amount. The 42<sup>nd</sup> Year CDBG funding allocation for Richland Hills is \$108,954.00.

**Motion:** Motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to approve.

Motion carried by a vote of 5-0.

**OTHER ITEMS FOR CONSIDERATION**

**6A. Consideration of accepting the FFTA 2016 Street Refund payment as the final payment and discontinuing the Street Refund program.**

Eric Strong, City Manager gave a presentation for the consideration of accepting the FWTA 2016 Street Refund payment as the final payment and discontinuing the Street Refund program. Several months ago the FWTA sent the city an agreement to sign in order to receive the annual refund for street repairs that they have provided us for the past 24 years of membership. This refund is equal to 15% of their annual sales tax collections in Richland Hills, and was instituted to repair streets that are damaged in part by their heavy vehicular traffic.

The agreement the FWTA sent had language in it that clearly and repeatedly stated that by accepting the funds, we agreed to give up any payments in future years for any street repairs. The council did not find this agreement acceptable, so we sent back an agreement like we have used in years past. The agreement we sent back did not require the FWTA to make any future payments, but it also did not definitively mandate that payments would cease (or continue). It dealt with only this current year. We received notice from the FWTA that they will not be signing our agreement, and will only provide the payment once we agree to their initial letter.

**Motion:** Motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to Table.

Motion carried by a vote of 5-0.

## **REPORTS & DISCUSSIONS**

### **7A. Discussion of Code Enforcement Procedures**

Eric Strong, City Manager presented the following information regarding Code Enforcement Procedures:

Once a violation is initially identified via a Code Enforcement inspection, a Notice of Violation (NOV) letter is sent to the owner and/or occupant of the location advising of the violation, what needs to be done to correct the violation, and the time period allowed to meet compliance. The standard length of time per the ordinance for compliance is seven (7) days. However, any violation deemed articulable as a danger to public health and safety can have a much shorter compliance time, usually 24 to 48 hours.

Once the specified time frame expires, the violation is subject to issuance of a citation (Class C Misdemeanor), and / or abatement by the city. Any costs incurred by the city are to be recouped via a lien against the property (except for homestead properties, which we cannot lien per state law). Our ordinance also specifies that once a NOV has been sent to a location, any violations of the same type at the location during the following 365 days can be cited or abated without the issuance of a second NOV letter. It should be noted that it is the objective of Code Enforcement to work with people to gain compliance, not to punish people. This includes the extension of time frame to meet compliance; ideas on how to meet compliance, and referrals to agencies that may be able to assist people with limited incomes meet the required compliance.

Some of the recent resident complaints we have received regarding our process include:

1. First contact shouldn't be a letter notifying of potential fines – it should be a friendly courtesy letter asking for compliance.
2. By the time a letter arrives in the mail, the time for compliance has already started ticking, thus shortening the timeframe a resident has to abate the problem.
3. In some instances, our letter has not indicated how to remedy the problem, only what the problem is (primarily on overhanging tree limbs – we haven't said how high they have to be trimmed. This problem is being rectified).
4. Complaint about the severity of the violation compared to other neighborhood violations.

## **7B. Update on Traffic Study on Popplewell**

Eric Strong, City Manager gave an update on the Traffic Study on Popplewell. Approximately two months ago staff had a discussion with the City Council regarding traffic speeds at various locations in town. Specifically, we had received complaints of excessive speed on Popplewell – and to a lesser degree Vance.

At that time staff had done a few things to monitor and try to mitigate any problems. The steps we had taken at the time included:

1. Measured data using our internal vehicle counters
2. Increased patrols in the area, including issuing warnings and citations

Following the last meeting, we hired a professional traffic engineer to study the speeds on Popplewell and evaluate any possible solutions.

The summary of the report is as follows:

1. The data collected does support the ability to raise the speed limit from 30 to 35. If the speed limit is raised, then stop signs would be justified, but it would also allow for higher speeds on Popplewell.
2. Due to other issues (sight lines, negative impacts of higher speed, and existing conditions), the recommendation is to leave the speed limit at 30. At this speed, there is no justification to install the stop signs.
3. There is a recommendation to install an "Intersection Ahead" warning sign approaching some of the intersections due to visibility issues.

Martha Stain, 3663 Popplewell, Richland Hills spoke regarding the traffic on her street. Study was conducted for only 2 days. Only one patrol car came by during Halloween and cars were speeding down the street. The trees at Popplewell and Dover are obstructing visibility.

Council requested to have item brought back as an action item with options for the December 6<sup>th</sup> meeting.

**7C. Update on Link Project**

Eric Strong, City Manager introduced the new Recreation Center Manager, Jason Brown.

Jason Brown discussed a few of the things he has been working on such as; a job description for a second staff person, a list of fitness equipment and a logo for branding purposes.

**8. COMMUNITY INTEREST ITEMS**

- Election Day is November 8<sup>th</sup> – Early Voting through November 4<sup>th</sup>
- Lunch Bunch – November 8<sup>th</sup> a representative for Medicare Services available for questions
- November Council Meeting – No regular meeting on November 15<sup>th</sup>, will have a meeting on November 22<sup>nd</sup>
- Christmas Tree Lighting – December 2<sup>nd</sup> at Richland Hills Library

**1B. Presentation of a 20 year Service Award to Tye Bell, Police Sergeant with the Richland Hills Police Department.**

Mayor pro-tem Lopez presented a 20 year Service Award to Tye Bell, Police Sergeant with the Richland Hills Police Department.

**9. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sec. 551.071, Sec. 551.072, Sec. 551.073, Sec. 551.074, Sec. 551.076, Sec. 551.087 and Sec. 418.0183 (f) and 418.106 (d) & (e) of the Texas Government Code (Texas Disaster Act).**

None at this time.

**10. A motion was made by Councilmember Barger, and seconded by Councilmember DeSoto to adjourn. Motion passed 5-0.**

There being no further business to come before the City Council, Mayor pro-tem Lopez declared the meeting adjourned at 7:58 p.m.

**ATTEST**

**APPROVED**

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Cathy Bourg, City Secretary

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Edward Lopez, Mayor pro-tem